

8/4/2005-Final

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ROANOKE CALENDAR - AUGUST 4, 2005

(The Honorable Ross W. Krumm Presiding)

Hearings by Video Conference

(Start _____ Recess _____ / _____ Stop _____ Trials: _____ Proceedings: _____)

Attys: Debtors: Case Nos.: Trustees:

3:00 P. M.

3-Way Video Connection Abingdon/Roanoke/Harrisonburg
(hear all Abingdon matters first then disconnect Abingdon)

Snodgrass ANGELA HARMON (**Abingdon case**) 05-70169 Wick/SL
AP 05-07073: Section 458 : Approval for Sale of Interest of Estate
Robert Wick, Trustee (Wick) v. Angela Harmon, Debtor (Snodgrass) , Eric A.
Harmon (); Tom Burkett, Treasurer of Smyth County() &
Branch Banking & Trust Co of Va.()
Obj. filed 6/17 #10 by Eric Harmon(Farthing) *filed in AP in error-refiled in CASE file*
on matter set 6/22 @ Abg before WFS
A/P DISMISSED by Ord entered on 8/2 #14

Hutchinson BILLY & LUCY CARTY(**BigStone Gap case**) 05-71483 Jessee/GR
Motion for Relief filed 6/8 #9,10,11 BB&T(Huebschman)
Order Entered Granting Motion 8/3; #23

Esposito/
Copeland GREEN SPRING SPORT CENTER (**Abingdon case**) 04-2727 DIP/S
Disclosure Statement filed 6/16 #168, 169

Objection #171 of Highland Union Bank to Motion to Sell (#81 & 156) re:
2002 Chevrolet Silverado P/U filed 7/14; Notice filed 7/18; # 178

Objection # 172 of Highland Union Bank to Motion to Sell (#81 & 156) re
1999 Ford F-350 P/U filed 7/14; Notice filed 7/18 # 177

Motion to Compel the Filing of Monthly Operating Reports filed 7/28 #179 by UST
(Guzinski)

8/4@3:00

Magee	KGG, LLC et als	04-74550	DIP/SJones
	*Pre-Trial Conference (at direction of court 08/03/05) on:		
	*Objection of Burnt Chimney Properties Inc. to Certain Claims filed by Teresa Hancock(Beck) 7/8; #276		
	*Objection of Burnt Chimney Properties Inc. To Claim of Ronald E. Daugherty as Curator (Beck) filed 7/14; #278		
	*Omnibus Objection of Burnt Chimney Properties, Inc. To Certain Filed and Scheduled Claims (Beck) filed 7/14; #279		
	*Motion for Relief filed 8/20; #291, 292, 293 by Teresa L. Hancock (Scott) (<i>Note: no pre-hearing order entered</i>)		
	<u>*All of above were noticed for 0823/05 at 11 a.m.</u>		
M Giles	DONALD & MELISSA PALMER	05-71910	Creasy/SO
	Motion for Relief filed 6/7 by JP Morgan Chase Bank NA (Rosado); #6, 7, 8, –contd from 7/5		
	<u>Order entered granting motion 8/2; #14</u>		
Krippendo	FELISSA MORRIS	05-71439	McLean/AF
	Motion for Relief by Citizens Auto Finance, Inc.(Fogleman) #13, 15, Amended notice filed 6/15 #16(correcting time from 9:00) Movant’s cert. filed 6/15 #17		
	<u>Response filed 6/24 #20 - contd from 7/5</u>		
	<u>Ord ent 7/26 resolving/modifying relief #25</u>		
P. Brown	JULIE PEARL HAMPTON	03-04752	Connelly/SJ
	Motion for Relief filed 6/7; #43, 44, 45 by USA/USDA/Rural Housing (Eckert) <u>Answer filed 6/9 #46 by debtor by counsel - contd from 7/5</u>		
Giles	BRENDA PETERS	05-71127	Connelly/S
	Motion for Relief on 6/21 #34 by Wells Fargo Bank (Stewart) Motion to Extend Stay filed 6/21 #37 Movant’s Certification		
	<u>Response</u> filed by debtor on 6/22 #40		
Giles	TIMOTHY CONRAD, SR	04-03377	Connelly/LM
	Motion for Relief filed 6/22 #21 by Countrywide Home Loans, Inc (Sasser) Motion to extend the stay filed 6/22 # 23 O/E approve entered 6/22		
	<u>Response</u> by debtor filed 6/22 #28		

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Delafield	ROBERT & KIMBERLY PRICE AP 05-07026: Injunctive Relief Debtors v. Kevin Snyder dba Snyders Auto Car Co () & Synders Auto Car Co ()	04-3482	Connelly/GR
Shelor	MICHAEL & LISA MCGRAW Motion of U. S. Trustee for Dismissal for Substantial Abuse - preliminary hearing, filed 3/18; # 10, 11,12, 13 – <i>contd from 5/4</i> Answer filed 5/4 #14	04-75134	Vogel/AF
T Janney	JOSEPH & SHELIA WITCHER Motion for Relief filed 6/13; # 42, 43, 44 by U. S Bank re: Marcus Rd., Rocky Mt VA (Bierman) <u>Response</u> by debtor filed 6/21 #49 <i>cont from 7/6</i>	04-74491	Connelly/NS
Giles	BEVERLY STRICKLAND Motion for Relief <i>and Co Debtor Stay</i> filed 6/21 #52 filed by Wells Fargo Home Mortgage (Sasser) Motion to Extend the Stay filed 6/21 #53 - O/E 6/22 #55 <u>Response</u> by Debtor filed 6/22 #57 <u>Amended Response</u> filed 6/23 #58	03-00307	Connelly/SO
Shelor	MICHAEL & JANICE ASBURY Objection of Trustee to Claim #1 and #3 of Monogram Credit Card Bank of GA filed 5/12; #63, 64	04-74039	Vogel/AF
Vita	CYNDY EUBANK Motion for Relief - filed 1/10; #7, 8, 9, by National City Mortgage Co (Sasser/Boylan) <u>Response of Trustee filed 1`/19; #13 (Vogel)</u> <i>–contd from 2/10 & 3/10 & 4/11 & 5/4</i>	04-75135	Vogel/AF
Krippend.	ROBERT DILLS Plan filed 4/16; # 12; conf ntc #6 Trustee Report & Showcause filed 5/6; # 18 <i>cont from 6/15</i> Objection to Claim #1 filed 5/31 #19	05-71226	Connelly/S

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Giles	JOSEPH LEE III	04-2269	McLean/SL
	AP 04-7144: Obj to or Revoke Discharge; <i>final pre-trial contd from 5/4; T: 9/6@2:00</i> U. S. Trustee (J.Guzinski) v. debtor <u>Answer filed 1/31; # 8, Ord of 1/25 extended time to file answer to 1/31.</u>		
	<i>Motion for continuance of pretrail and Trial filed 7/26 #15 and scheduled for 8/25 @3PM (Guzinski)</i>		
M. Hart	STEPHEN & VICKY KELLEY	00-02803	Connelly/JM
	AP 05-07066: Declaratory Judgement: Debtor v. HomeQ Servicing fka TMS Mortgage dba The Money Store -Answer: filed 6/8; # 3 (Neyhart)		
G. McLean	JENNIFER SMITH	05-71728	McLean/S
	AP 05-07074: Recover Money or Property Geo A McLean, Trustee (McLean) v. Mose Adams () -note: applic. To employ McLean atty for trustee set 8/25 @ 3:00 <u>New summons issued 6/20 #7 setting a/p for 8/25 @ 3:00pm</u>		
Jamison	VIRGINIA YEATTS	05-71891	Connelly/NS
	Motion for Relief - filed 7/7; # 7, 8, 9, 10 by U S Bank Consumer Finance (Zimm)		
Derryberry Beck	JEFFERSON MILLS, INC.	02-3667	DIP/SL
	Obj to Claim #53 of Citicapital Corp, #388 <u>Response to Obj filed 10/18/04; #402 - contd from 4/20 & 5/10</u>		
	Obj to Claim #74 of General Electric Capital; #393, Affidavit in Support of Claim by GE (Creasy) filed 5/2; #535 - - cond fr 5/10		
M Hart	LEON & JUDITH AUSTIN	04-3495	Connelly/NS
	Objection to Claim #11 of Capital One Bank filed 6/1; # 22 <i>Ord ent sustaining on 7/28 #19</i>		
	Obj to Claim #8 of Capital One Bank filed 6/1; # 23 <i>Ord ent sustaining on 7/28 #31</i>		
	Obj to Claim #12 of Capital One Bank filed 6/1; # 24 <i>Ord ent sustaining on 7/28 #30</i>		

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Magee	JAMES & JEAN WINGO(SR) Motion of U. S. Trustee to Extend Issuance of Discharge filed 5/31; # 25 (Garber)	05-70711	McLean/SO
Jamison	RICHARD & TOMEKA ROBERTSON Motion of U. S. Trustee to Extend Issuance of Discharge filed 6/6; #11 (Garber)	05-70861	McLean/SL
M. Giles	STACEY WEAVER Obj to claim #12 Suntrust Bank as duplicate of claim #8 filed 6/7 #12	05-71003	Connelly/S
Palmer	JACK RYLAND BLACK, JR. Objection to Claims filed 6/7: No. 4 of Bedford County Treasurer; #26 No. 3 of USA/IRS; #27 <u>Response</u> filed 7/7; # 37 (Paxman) No. 1 of VA Dept of Tax; #28 <u>Response</u> filed 6/29 #36 (Miner)	05-71018	Connelly/VS
Palmer	GARRETT & DEBORAH LANCASTER Motion for Relief - filed 4/21; # 54, 55, 56 by CitiCorp Trust Bank FSB (Zimm/ Huebschman) <u>Response filed 4/26; # 58 - contd from 5/11 & 6/9</u>	04-3486	Connelly/GR
Palmer	CARROLL SHIVERS, JR. Relief from Stay filed 7/8 #8 by Wells Fargo Home Mortgage, Inc. (Sasser)	05-72412	Allen/SO
Shelor	HAROLD MONTGOMERY Motion for Relief - filed 4/28; #10, 11, 12, 13 by Countrywide Home Loans (Sasser /Boylan) <u>Answer filed 5/11; # 19 - contd from 6/9</u>	05-71510	McLean /SO
M Hart	RICK LUPACCHINO AP 05-07059: recover money or property Debtor v. First citizens Bank (Huebschman) <i>cont from 6/15</i> <i>Case Dismissed on 7/6 - A/P Closed on 7/18</i>	05-70611	Connelly/SO

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Shrader	TERRANCE VANGELOS	05-70608	Krippend//SO
	Motion of U. S. Trustee to Dismiss Case filed 4/29/ # 9, 10 (Garber) <u>filed w/ Memorandum</u> - <i>contd from 6/9</i>		
M Hart	PEGGY BURKS	03-5231	Connelly/AF
	Motion for Relief <u>and Co-Debtor Relief</u> - filed 4/4; # 49, 50, by Deutsche Bank Trust Co Americas (Sasser) <u>Response of Debtor filed 4/7; #52</u> - <i>contd from 5/11 & 6/9</i>		
Giles	PHILLIP AND MARY POLETTI	05-70821	McLean/S
	Motion for Relief filed 6/21 #30, by JP Morgan Chase Bank (Huebschman) with Motion and order to Extend the Stay 32,33		
Hart	ROGER & BRENDA BARNETT	03-4175	Connelly/LM
	Motion for Relief - filed 5/11; # 38, 39, 40, by Aurora Loan Services Inc. (Jaffe) <u>Response filed by Debtors 5/12; # 41</u> <u>Movant's Certification 5/13; #42</u> – <i>contd from 6/9</i>		
M Hart	NEIL & EMMA BROWN	04-74172	Connelly/LM
	Motion for Relief and Co Debtor- filed 5/11; by Chase Home Finance (S. Wood/) #28, 29 <u>Answer filed 6/3; # 33</u> - <i>contd from 6/9</i> <i>Resolved; Order to be tendered</i>		
Jamison	JACKIE GIBSON	05-71078	Connelly/LM
	Motion for Relief - filed 5/10; # 11, 12, 13 by CitiMortgage Inc (Sasser/Boylan) – <i>contd from 6/9</i> <i>Order dismissing motion on 7/18</i>		
Delafield	KENNETH & WINSOR ST. CLAIR	04-1386	Connelly/GR
	Status hearing <i>cont from 6/15</i>		
Palmer	RAYMOND GRAY	04-74345	Connelly/JJ
	Motion for Relief - filed 5/24; # 41, 42, 44, 47 Chase Manhattan Mortgage (S.Wood) <i>cont from 6/15</i> <i>Resolved; Order to be tendered</i> Motion for Relief from Co-Debtor Stay filed 5/24; # 43, 45, 47 by Chase Manhattan Mortgage (Wood) <i>cont from 6/15</i> <i>Resolved; Order to be tendered</i> Motion for Relief - filed 7/14#53, 54, 57 by General Motors Acceptance (Eason) <u>Answer filed 7/19; \$55</u>		

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Shrader	FRANK AND DEBORAH CUMBEE Motion fo Relief by Wells Fargo Financial(Goldstein) 6/20 #9, 14 <i>Order of 7/13 granted relief (agreed)</i>	05-72034	Krippendo/AF
P. Brown	MICHAEL CAMPBELL US Trustee's motion to Dismiss case for Substantial Abuse filed 6/17 #22 (Cosby)	05-71056	Krippendo/SJ
Janney	JOSEPH AND SARAH ARNOLD US Trustee's motion to Extend discharge filed 6/17 #13 (Cosby) <i>Ord ent on 6/27 #14 granting motion</i>	05-71044	Krippendo/JJ
Shrader	MICHAEL JONES US Trustee's motion to Extend discharge filed 6/17 #8 (Cosby)	05-71065	Krippendo/SL
Pro Se	MELISSA TAYLOR AND RICHARD GREENE Notice of hearing on Reaffirmation Agreement filed by HSBC Auto Finance(Epps) 6/15 #17 (reaffirmation filed 5/16 #16) <i>-Order denying entered 7/13, cancels hearing</i>	05-71164	Allen/SL
Mayer	DAVID & SABRINA BELCHER Motion for Relief - filed 5/25; # 6, 7, 8 by Federal National Mortgage (Wood) <i>cont from 6/21</i> <u>Answer of debtors filed 6/3; # 12</u> <i>Resolved; Order to be tendered</i>	05-71942	McLean/JJ
Palmer	LEWIS & KELLI CONNER Motion for Relief - filed 5/24; #28, 29, 30, by Ambrosia, Inc. (Bierman) <i>cont from 6/21</i> <u>Response filed 5/26; # 31 by debtors</u>	05-70323	Connelly/S
Gillis	CHRISTOPHER & SONYA SPRADLING Motion for Relief - filed 5/27; # 6, 7,8 by Chase Home Finance (Wood) <i>cont from 6/21</i>	05-71875	Creasy/LM
Huffman	VARSHA VORA Motion for Relief filed 6/24 #6 by Creditor Citimortgage, Inc.(Sasser) Motion to Extend the Stay filed 6/24 #8 and order approving on 6/27 #11	05-72400	Creasy/JM

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Janney	KIMBERLY HUNT	03-04183	Connelly/GR
	Affidavit and Notice of Termination filed 4/28 #72 by Option One Mortgage (Bierman) Resolved; Order to be Tendered due on 6/24 #80 Notice of Hearing re Affidavit of Default filed 6/23 #81 (Bierman)		
Palmer	GARY AND JANET WINTERS	04-02166	Connelly/SL
	Notice of default filed 6/14 #116 by Household Realty (Sasser) Objection by debtors filed 6/27 #117		
Palmer	CHARLES AND MARY DUFF	05-71070	Allen/LM
	Motion for Relief filed 6/24 #32 by Homecomings Financial Network with Motion to Extend Stay #31(McQuiddy) Order approving motion to extend stay #32 Answer filed 6/28 #46 <u>E-Order tendered 08/03/05 per fax from McQuiddy</u> Motion for Relief filed 6/27 #35 by Daimler Chrysler Services with Motion to continue stay #37 (Higgs) Order approving motion to extend stay #44 -Default Order 7/13 granted motion		
Brown	PATRICK TROTTMAN	04-02550	Allen/SJ
	Motion for Order to Show Cause filed 6/27 #28 by Moore Investment Corp (Goldstein)		
P Brown	RICHARD AND DARLENE CARTER	05-72479	McLean/LM
	Motion for Relief filed 7/8 #7,10 by Daimler Chrysler (Higgs) Movant's Certification filed 7/8 #8 Default ord entered 7/27 granting motion		
Janney	HAROLD HILL, JR.	05-72173	Vogel/LM
	Motion to Redeem: Creditor: American General Finance filed 6/27 #13		
Janny	JAMES AND DELOIS MANN	04-03329	Connelly/S
	Motion for Relief filed 6/30 #34,38 by Wells Fargo Bank (Stewart) Motion to Extend stay filed 6/30 #37 <u>Response filed 7/8; # 41</u>		

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Palmer	LUTHER MCGHEE	05-71859	Creasy/SJ
	Relief from Stay filed 6/28 #7 with motion and order to extend stay (Rosado) (Re: Vermont Avenue, Roanoke property)		
	Relief from Stay filed 6/28 #10 with motion and order to extend stay (Rosado) (Re: Peddlar Rd, Elliston property)		
Bowman	WILLIAM WELCHER	04-74262	Connelly/SL
	Objection to Claim #5 filed 6/29 #53,54 #5 Citifinancial Investment Recovery		
Shelor	EDWARD & DIANE FEWELL	03-03507	Connelly/SO
	Debtors' Motion to Suspend Payments filed 6/30; #41		
Shankman	STEPHANIE REED	05-72121	Vogel/S
	Motion for Relief - filed 7/5 #6 <i>Motion to Amend Motion for Relief file 7/6; # 10 to correct movant name to WFS Financial (Epps)</i> <i>-Default order of 7/26 granted motion</i>		
Giles	GEORGE & SHARON MAXEY	04-75097	Connelly/NS
	Motion for Relief - filed 7/8; # 29 30, 31, 32 by ABN AMRO Mortgage Group(Stewart) <u>Response filed 7/14; # 34, (Giles)</u>		
M Hart	PHILLIP & JUDITH BAILEY	05-71908	Connelly/SO
	Motion for Relief - filed 7/7; # 21, 22, 23, 24 by Washington Mutual Bank (Stewart) <u>Response</u> filed 7/8 #25		
M Hart	DOUGLAS PRICE	03-1432	Connelly/AF
	Motion for Relief from Stay filed 7/5; # 41, 42 by MidFirst Bank (Zimm) <u>Answer to Motion for Relief filed 7/8; # 47</u>		
	Motion for Relief <u>from co-debtor Stay</u> filed 7/5, #3, 46 by MidFirst Bank (Zimm) <i>No resp or objection filed - self executing</i>		

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Hart	ANNETTE SIMMONS	04-00905	Connelly/JM
	Motion of Debtor to Sell Free & Clear of Liens filed 7/5; # 48 <u>Answer filed 8/1; #59 to Motion to Sell Free & Clear</u>		
	Motion for Relief from Stay filed 7/6; # 49, 50, 52 53 by CCO Mortgage Corp (Wade) <u>Response filed 7/8, # 55, to Motion for Relief</u>		
	Motion for Relief from Co-Debtor Stay filed 7/6; # 52, 54 by CCO Mortgage (Wade) <u>Response filed 7/8; # 56 to Motion for Co-Debtor Relief</u>		
H Brown	JASON & STACY CORNETT	05-70355	Connelly/SJ
	Motion for Relief - filed 7/7; # 37, 38, 39, 41 by First Citizens Bank (Zimm) <i>Default Order tendered</i>		
Shankman	JOHN COVEY	05-71921	Creasy/S
	Motion for Relief - filed 6/30; # 7, 8, 11, 12 by JP Morgana Chase Bank (Huebschman) <i>Ord ent terminating automatic stay on 7/27 #16</i>		
Hileman	WENDELL & ZAIDA WARD	05-71963	Connelly/SL
	Motion for Relief - filed 7/5; # 13, 14, 15 , 17 by Gold Key Resorts (Zimm) <i>Ord ent on 7/29 #21 granting relief</i>		
Shrader	THOMAS & CAROLYN WOODYARD	05-71798	Vogel/NS
	Motion for Relief - fled 7/6; # 7, 8 9, 10 by Beneficial Mortgage Co (Long)		
M Hart	MARGARET JAMISON	03-4292	Connelly/NS
	Motion for Relief - filed 7/5; # 30, 31, 32, 34 by MidFirst Bank (Zimm) Answer filed 7/8 #37		
M Giles	ROBERT REYNOLDS	05-72483	McLean/GR
	Motion for Relief - filed 7/5; # 7, 8, 9, 10, 11 by Wells Fargo Financial (Goldstein) <i>Default Ord entered 7/27 #14</i>		
M Giles	JEFF WHITLOW	05-70587	Connelly/GR
`	Motion for Relief - filed 7/5; # 22, 23, 24, 25 by Americredit Financial Services (Epps)		

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Shankman	RANDALL WEBB	04-1585	Connelly/GR
	Motion for Relief <u>and Co-Debtor Stay</u> : filed 7/6; # 31, 32, 33 by CitiMortgage Inc (Neyhart)		
	Answer filed 7/15 #41		
	<i>Order Circulating</i>		
	–note: mod plan filed 7/13; set for 9/7 @9		
B Palmer	CHARLES & TONYA WENDELL	05-70825	Connelly/S
	Motion for Relief - filed 77; # 24, 25, 26, 27 by Wilshire Credit Corp (Stewart)		
	<u>Answer filed 711; # 29</u>		
Pro se	DUSTY MCPEAK	05-72419	Connelly/VS
	Motion for Relief from Stay <u>and Co-Debtor Stay</u> filed 7/8 # 14, 15 16, 17 by Bank of America NA (Stewart)		
McLean	PAMELA T. JOHNSON	04-3685	Vogel/GR
	AP 05-07021: Det. Dischargeability		
	Michael A & Patrice L. Bostic, et als (Lori Thompson/A.Carter Magee) v. Debtor		
	<i>Amended Complaint filed 2/18 #8; Amended Summons Issued #10 - contd fr 4/7, 5/4 & 6/21</i>		
McLean	TED JOHNSON	04-3654	Vogel/SJ
	AP 05-07023: Det. Dischargeability – <i>contd from 4/7</i>		
	Michael A & Patrice L. Bostic, et als (Lori Thompson/A.Carter Magee) v. Debtor		
	<i>Amended Complaint filed 2/18 #6; Amended Summons Issued #8 - contd from 5/4 & 6/21</i>		
Pro se	FRANK FARRIER	04-3653	Creasy/SJ
	AP 05-07022: Det. Dischargeability		
	Michael A & Patrice L. Bostic, et als (Lori Thompson/A.Carter Magee) v. Debtor		
	<i>Amended Complaint filed 2/18 #6; Amended Summons Issued #8 - contd fr 4/7 & 6/21</i>		
	–Answer to Amended Complaint filed 3/25; # 10 (Farrier, pro se) - <i>contd from 5/4</i>		
M Hart	KEVIN LANGE	05-70211	Connelly/SO
	Motion for Relief filed 6/10; # 23, 24, 25, 26, 27 by Deutsche Bank National Trust Co as Trustee (Stewart) <i>cont from 7/6</i>		
	Answer filed 6/15 #28		

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M. Hart	ALLIE AND RHONDA MARSH	05-70516	Connelly/VS
	Motion for Relief by Citimortgage, Inc.(Sasser) 6/15 #30, 32 Answer by debtor filed 6/24 #34, <i>cont from</i> 7/6		
M Hart	KIMBERLY DOWDY	01-3416	Connelly/VS
	Motion for Relief - filed 7/13; # 44 by Branch Banking & Trust (Kirkpatrick) <u>Response</u> filed 7/15 #48		
M Hart	WILLIAM & CAROL PERDUE	05-71174	Connelly/LM
	Motion for Relief - filed 7/12; # 38, 39, 40 by Countrywide Home Loans (Sasser) <u>Answer to Motion</u> filed 7/14; # 42 (Hart)		
Pallmer	RALPH & DAWN GRANT	03-2374	Connelly/LM
	Motion for Relief <i>and to Compel Debtors to Turnover Property</i> - filed 7/12; # 48, 49, 50 by Americredit Financial Services (Epps) <u>Answer</u> filed 7/22 #53 (Epps)		
Whitehurst	ROBERT & BILLIE COOPER	05-70361	Creasy/SL
	Motion for Relief - filed 7/12; # 11, 12, 13 by Wells Fargo Bank (Sasser)		
Krippend.	ANTONIO & JAWA PALERMO	02-3600	Connelly/JM
	Motion for Relief - filed 7/14; # 56, 57 58, 59 by First Cirizens Bank (Zimm)		